

REMARKS

I. Status

The Office Action indicates claims 1-8 to be pending in this Application. With this response, claims 1, 3, and 5-8 are amended, and claims 2 and 4 are canceled without prejudice or disclaimer. No new matter has been added.

Claims 1-4 are objected to.

Claims 1-4 are rejected under 35 U.S.C. 112, second paragraph.

Claims 1-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tsagarakis (U.S. Patent Application Publication No. 2002/0087455) in view of Gruber (U.S. Patent No. 5,963,923).

Claims 1 and 3 are independent.

II. Objection to Claims 1-4

The Office Action objects to claims 1-4, the Office Action stating that:

“[c]laims 1-4 are objected to because of the following informalities: Claim 1 recites ‘A method ... to handle currency exchange comprising.’. The preamble would be better recited as ‘A method ... to handle a currency exchange comprising.’. Claims 2-4 have a similar problem with the preamble. Appropriate correction is required” (see Office Action p. 2).

With this response, the Applicant cancels claims 2 and 4, and amends the preambles of claims 1 and 3 in view of the Office Action’s suggestion.

In view of at least the foregoing, the Applicant respectfully requests that the objection be withdrawn.

III. Rejection under 35 U.S.C. 112

The Office Action rejects claims 1-4 under 35 U.S.C. 112, second paragraph.

With this response, the Applicant amends claims 1 and 3, and cancels claims 2 and 4 without prejudice or disclaimer. No new matter has been added.

The Applicant respectfully submits that the claims, at least with the amendments herewith, are in compliance with 35 U.S.C. 112, and respectfully requests that the rejection be withdrawn.

IV. Rejection under 35 U.S.C. 103

The Applicant thanks the Examiner for extending the courtesy of the telephonic interview conducted on November 8, 2007.

The Office Action rejects claims 1-8 under 35 U.S.C. 103(a) as being unpatentable over Tsagarakis in view of Graber. With this response, the Applicant amends claims 1 and 3, and cancels claims 2 and 4 without prejudice or disclaimer. No new matter has been added.

The Applicant respectfully submits that the cited references, taken individually or in combination, fail, for example, to disclose, teach, or suggest:

“... establishing on a stock exchange a predetermined number of exchange shares, each said exchange share representing a first currency valued in terms of a second currency, wherein the first currency is a foreign currency ...”

as set forth in claim 1 as amended herewith (emphasis added).

As another example, the cited references, taken individually or in combination, fail to disclose, teach, or suggest:

“... listing on a stock exchange a predetermined number of exchange shares, each said exchange share representing a

first currency valued in terms of a second currency, wherein
the first currency is a foreign currency ...”

as set forth in claim 3 as amended herewith (emphasis added).

With reference to the response to the last Office Action, the Applicant respectfully observes, for instance, that Tsagarakis merely indicates the “foreign exchange transaction” of Tsagarakis to be a conventional foreign exchange transaction performed in the case where a non-U.S. customer buys a U.S. equity such as an individual stock or mutual fund share (e.g., IBM stock):

“[e]ach cross-border trade potentially consists of two transactions: the equity transaction and the foreign exchange transaction. FIGS. 3A and 3B illustrates the cross-border trading and execution flow for, e.g., an Australian customer buying a U.S. security ...”

(see Tsagarakis paragraph [0030]; emphasis added),

“... a U.S. equity (such as an individual stock or mutual fund share) ...”

(see Tsagarakis paragraph [0031]; emphasis added),

“[a]t step 301, the E*TRADE Australia customer places a buy order for 100 shares of IBM stock at the market price ...”

(see Tsagarakis paragraph [0031]; emphasis added).

In view of at least the foregoing, the Applicant respectfully submits that claims 1 and 3 at least as amended herewith, as well as those claims that depend therefrom, are in condition for allowance.

V. Dependent Claims

The Applicant does not believe it is necessary at this time to further address the rejections of the dependent claims as the Applicant believes that the foregoing places the independent claims in condition for allowance. The Applicant, however, reserves the right to

further address those rejections in the future should such a response be deemed necessary and appropriate.

(Continued on next page)

CONCLUSION

The Applicant respectfully submits that this Application is in condition for allowance for which action is earnestly solicited.

If a telephone conference would facilitate prosecution of this Application in any way, the Examiner is invited to contact the undersigned at the number provided.

AUTHORIZATION

The Commissioner is hereby authorized to charge any fees which may be required for this response, or credit any overpayment to Deposit Account No. 13-4500, Order No. 3892-4003.

Furthermore, in the event that a further extension of time is required, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to the above-noted Deposit Account and Order No.

Respectfully submitted,

MORGAN & FINNEGAN, L.L.P.

Dated: November 13, 2007

By:



Angus R. Gill
Registration No. 51,133

Mailing Address:
MORGAN & FINNEGAN, L.L.P.
3 World Financial Center
New York, New York 10281-2101
(212) 415-8700
(212) 415-8701 (Fax)